

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

DOUGLAS ALAN BURDEN §
VS. § CIVIL ACTION NO. 1:11cv273
TOM MANESS, ET AL. §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Douglas Burden, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

Plaintiff has filed a motion (doc. no. 4) asking that this matter be certified as a class action. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the motion be denied.

The court has received and considered the Report and Recommendation , along with the record and pleadings. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court concludes the objections are without merit.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. Plaintiff's motion for class certification is **DENIED**.

So **ORDERED** and **SIGNED** this 6 day of March, 2012.



Ron Clark, United States District Judge